



STATE OF DELAWARE
THE JUSTICE OF THE PEACE COURT
ADMINISTRATIVE OFFICE

ALAN G. DAVIS
CHIEF MAGISTRATE

TELEPHONE: (302) 323-4530
FAX: (302) 323-5345

MARIANNE L. KENNEDY
COURT ADMINISTRATOR

POLICY DIRECTIVE 18-255

TO: ALL UNIFORMED SERVICES EMPLOYEES

FROM: ALAN G. DAVIS
CHIEF MAGISTRATE 

RE: USE, DEPLOYMENT AND MAINTENANCE OF BALLISTIC VESTS

DATE: MAY 9, 2018

Scope:

The purpose of this Policy is to establish guidelines for the issuance, use, and maintenance of ballistic vests. This Policy applies to all members of the Uniformed Services Division of the Justice of the Peace Court.

Policy Directives/Legal Memoranda Affected:

This Policy rescinds Procedural Memorandum 13-002.

Effective Date:

This policy shall take effect May 9, 2018 and shall continue until further notice.

Definitions:

Agency – State of Delaware, Justice of the Peace Court

Ballistic Vest – an agency-issued Level II and Level IIIA soft body armor covering designed to be worn on the upper torso of the body for protection against small to medium caliber projectiles fired from a handgun or shoulder fired weapon.

Alternative Duty—A temporary assignment to duties that differ in type or manner from regular duties

Officer— An employee of the Justice of the Peace Court, including full-time, part-time, contract and casual seasonal employees, assigned to the Uniformed Services Division, including but not limited to the Chief of Uniformed Services, Trainer/Educator II, Chiefs of Court Security, Deputy Chiefs of Court Security, Constables, Court Security Officers, or any other Uniform Services title or position designated by the Chief Magistrate or his or her designee.

On-duty—Performing work at the direction of the agency during assigned work hours

Quartermaster— The Chief of Uniformed Services, a Court Security Officer Supervisor, Chief of Court Security, Trainer/Educator II or any other Uniform Services title or position designated by the Chief Magistrate or his or her designee, who is responsible, in-part, for maintaining an accurate inventory of equipment assigned to Uniform Services personnel. Uniformed services division employees may provide assistance to the quartermaster at his or her discretion.

Uniformed Services Division—the agency's security unit which includes Constables, Court Security Officers, Court Security Supervisors, Court Security Chiefs, the Trainer/Educator II, and the Chief of Uniformed Services or any other Uniform Services title or position designated by the Chief Magistrate or his or her designee.

Policy:

It is the policy of the Justice of the Peace Court to maximize Officer safety by providing appropriate equipment, training and resources to perform the duties of the position safely and competently. In furtherance of this policy, the Justice of the Peace Court shall provide ballistic vests to its Officers.

A. Issuance of Ballistic Vest

The Justice of the Peace Court shall issue a Level II or Level IIIA ballistic vest that complies with the standards of the National Institute of Justice to each Officer in the Uniformed Services Division in order to maximize Officer safety¹.

B. Mandatory Use of Ballistic Vest and Prohibition on Wearing Non-Agency Issued Vest

Officers shall wear the ballistic vest provided by or approved by the agency while on-duty, unless assigned to an alternate duty where the Officer is substantially removed from contact with the public or upon written permission from the Chief of Uniformed Services.

An Officer shall not wear a non-agency issued ballistic vest, unless given written authorization to do so by the agency Quartermaster. A non-agency issued vest could be approved as a temporary substitute only if necessary upon hire while awaiting a replacement or newly ordered vest to arrive or

¹ The agency may provide a Level II vest to newly hired employees and as a replacement to a worn or damaged vest until such time as a Level IIIA vest is procured.

to substitute for a damaged vest until a new or replacement vest arrives. Failure to wear the issued or approved ballistic vest may result in disciplinary action, up to and including termination.

C. Care, Inspection and Replacement of Ballistic Vest

An Officer shall clean his or her vest regularly in accordance with the manufacturer's instructions.

An Officer shall inspect his or her ballistic vest routinely for signs of damage. An Officer shall report any damage or wear to his or her ballistic vest to his or her supervisor as soon as practicable.

Supervisors routinely, and at a minimum annually, shall inspect ballistic vests for fit and for signs of damage and wear and shall report any issues to the Quartermaster.

The agency shall replace an Officer's ballistic vest in accordance with the manufacturer's guidelines and protocols established by the National Institute of Justice. The agency shall replace a ballistic vest due to damage or wear that renders the ballistic vest unsafe for duty. An Officer may be responsible for the cost of a replacement vest if it is lost or damaged due to the Officer's negligence or intentional act.

D. Storage of Ballistic Vest

An Officer shall store his or her vest in accordance with the manufacturer's instructions. An Officer shall not store a vest inside of a vehicle, including in a vehicle's trunk.

E. Violations

Any Officer who violates the provisions of this policy may be subject to disciplinary action, up to and including termination.

cc: All Justice of the Peace Court Employees
Honorable Leo E. Strine, Jr
Honorable Andre Bouchard
Honorable Jan Jurden
Honorable Alex J. Smalls
Honorable Michael K. Newell
Amy Quinlan, State Court Administrator
Jody Huber, Esquire
Mark Hitch
Jill Malloy
Law Libraries: New Castle County, Kent County, Sussex County,
Widener University School of Law